

FINAL

COURT APPOINTED SPECIAL ADVOCATE/CHILDREN'S JUSTICE ACT
PROGRAM ADVISORY COMMITTEE

MEETING MINUTES

April 16, 2004

A meeting of the Advisory Committee to the Court Appointed Special Advocate and Children's Justice Act programs was held on Friday, April 16, 2004, at the Richmond Police Training Academy in Richmond.

Members Present

A. Michael Hall, Vice Chair
Paul O. Hirschbiel, Jr.
Pat Romano
Lauren Caudill
Ruth Stone
Kent Hymel
B. J. Zarris
Mary Evans
Sharon England

Members Not Present

Fred Orelove, Chair
Eric Olsen
Pat Kelleher
Mindy Loiselle

DCJS Staff Present

Denise Marks
Melissa O'Neill
Holly Oehrlein
Erin Osbourne

Call to Order

Michael Hall called the meeting to order at 10:00 a.m.

Approval of Minutes

A committee member noted that a change needed to be made under "approval of minutes", the word "motion" was changed to "moved". Michael Hall moved that the minutes from the January 9, 2004 meeting be approved. Kent Hymel seconded the motion and the minutes were unanimously approved by the committee.

Citizen Review Panel (B. J. Zarris)

Differential Response System: B. J. Zarris reported the subcommittee on Differential Response has not met since the Advisory Committee's last meeting. The subcommittee is very interested in the evaluation of the Differential Response System (DRS). Ms. Zarris has been working with the group in the central office and other state staff on a possible questionnaire / case review document that she sent to the sub-committee members approximately 6 weeks ago. The evaluator is out of the country and will put the information into a format that can be used when she returns. Ms. Zarris is also trying to find someone to work on this project during the summer and believes she has identified a viable candidate. The biggest issue that they are facing is getting the cases pulled out of OASIS. They will probably take cases from 6-month time frame beginning a year into differential response. This will allow them to evaluate the repeat referrals. The review itself will probably take place from June to August, so the data will not be available until this Fall. Mike Hall asked if anyone from the panel would like to review the instrument and provide feedback. In response to overwhelming interest, the instrument will be provided to the committee members.

Ms. Zarris further advised that she has been in touch with the Supreme Court regarding the number of petitions filed in Juvenile & Domestic Relations court for CPS related issues since the implementation of the Differential Response System. Ms. Zarris hopes to compare data from 2001 prior to the implementation of DRS and 2003, after the implementation of DRS.

Teacher Training: A flyer on Child Abuse Training for Teachers was passed out to the committee. The web site is www.vcu.edu/vissta/training/va_teachers. This information is also available on CD and was sent to all school districts. Private vendors are also holding trainings. An Advisory Committee member asked if non-teachers could go to the web site and do the training also. Ms. Zarris reported that they could. Members were encouraged to copy this handout and give it to schools in their areas.

Structured Decision Making: Ms. Zarris handed out a document identifying 32 local departments that will serve as pilot sites for Structured Decision Making. She explained that Structured Decision Making is a methodology using research-based tools to guide decision making in CPS and in certain foster care cases. A decision was made last year to contract with Children's Research Center to work with the Department of Social Services to develop the SDM tools in Virginia and to develop a web-based application so these tools can be available online for workers. The expectation is that the tool for these pilots will come online in October. Orientation meetings will begin in June with the agencies. The agencies are clustered so training can be offered in one central location that is not too far from any single location in the region. Training for Trainers will take place in August and 1 or 2 people from each agency must attend. Finally, in

September there will be training for Supervisors and CPS Workers. The 32 locations within this pilot represent a good blend of sizes and locations.

A committee member noted that it will be interesting to see if the implementation of SDM has any impact on the appeals process. Mike Hall reported that they have had a decrease in the number of appeals since the implementation of DRS. Ms. Zarris added that the number of appeals statewide have decreased with DRS .

Performance Improvement Plan (PIP): Ms. Zarris reported that the Commissioner will be asking local agencies what resources will be needed to comply with the Performance Improvement Plan. It is expected that the answer will be “more staff”.

General Assembly: Ms. Zarris reported that Child Protective Services has been busy with the general assembly this year. In her view, the most significant bill was House Bill 1041. This bill will change the child abuse and neglect definitions to include making explicit that any child whose caretaker allows the child to be present during the sale or manufacture of certain illegal substances could be charged with child abuse. This bill was backed by the Attorney General’s office. CPS believes that these children are already protected under the current definitions and they are concerned that if they keep putting specific things in the definition, the law will be harder to interpret. An amendment was proposed but it is unknown whether the Governor will ask for the amendment.

Approval of CJA Three Year Plan and CJA Program Update: Holly Oehrlein provided the committee with a copy of the Three Year Plan and asked for approval. She explained that the committee is required to review/develop this plan every three years and it is submitted to the federal government with the Children’s Justice Act Grant application. The committee will generally review the plan annually to take stock of what has been accomplished and prioritize what still needs to be done. The review/development of the Three Year Plan generally takes place during a 1.5 day retreat. We are planning a retreat in November. This will give the committee opportunity to thoroughly go through the recommendations and see if things need to be changed, added, deleted, etc. Committee members will be asked to consult with colleagues and provide feedback on areas of the system that are functioning well and those that are functioning poorly.

The CJA Program Update was incorporated into this section of the meeting. The Improving Investigation and Prosecution of Child Abuse conferences will take place in Roanoke in May and in Roanoke in Virginia Beach in October, 2004.

John E. Reid and Associates will provide a three-day “Child Abuse Seminar” in Fredericksburg on November 9 – 11, 2004. One was also held March 9 – 11, 2004 in Richmond.

Discipline-Specific Training –

- The curriculum on the “Investigation of Child Sexual Abuse” has been completed. We are working on strategies for implementation.
- Members of the Forensic Medical Work Group presented at the Commonwealth’s Attorneys’ Spring Institute on March 24, 2004 in Williamsburg. The topic was “Spend Your Money Wisely: Identifying and Paying Medical Experts in Child Abuse Cases”.
- Staff from the American Prosecutor’s Research Institute (APRI) spoke to the Forensic Medical Work Group in February 2004 regarding their program “Finding Words”. Two individuals from the York County Sheriff’s Office who attended the program spoke with the group regarding their experiences. Ms. Oehrlein has received authorization to submit an application in September 2004 to bring the “Finding Words” program to Virginia in 2006.
- EPIC-SCAN: The PowerPoint program on “Educating Pediatric Practitioners in the Commonwealth on Suspected Child Abuse and Neglect” was completed in March, 2004. The disk was sent to Tom Sullivan and he is presenting it to various members of the medical community.
- The Children’s Justice Act Program will provide funding to the Commonwealth’s Attorneys Services Council for a one-week trial advocacy course on a shaken baby homicide will take place in Williamsburg June 13 – 18, 2004.

Technical assistance on team development training was provided to the City of Roanoke in January. The “Finding Words” program will also serve as a mechanism for team development since applicants must apply as a team to be considered.

CJA will continue to support the Partnership for People with Disabilities with the implementation of the Abuse and Neglect of Children with Disabilities curriculum.

Court Appointed Special Program information has been updated to include current program information and training.

Ruth Stone moved that this Three Year Plan be approved. Kent Hymel seconded the motion and the committee unanimously approved the plan.

CASA Program Update: Several more changes have occurred in local CASA programs with regard to program director leadership. DCJS continues to provide technical assistance to programs, as these changes require additional training and support for program staff.

Guardian Ad Litem Training – CASA programs have been asked to help facilitate this training. The Chesterfield CASA program was the first program in the state to take this role and was quite successful in getting participants to attend.

COMET Users group meetings are continuing and Bob Holet will incorporate the VOCA report into the DCJS reporting tool, which will change (an additional requirement will be added). COMET is scheduled for an upgrade through National CASA in Spring. Mr. Holet has provided training for local programs at several localities.

Statewide program staff training will be held on May 12th, 2004 on the topic of Volunteer Recruitment, Management and Retention in Charlottesville. Katherine Campbell will be the trainer for the day.

There are two areas that are working on new program development and they are Isle of Wight and Goochland. Isle of Wight is hoping to begin operations by the spring and Goochland is planning to begin in July. Mecklenburg was trying to start a program, but a change in personnel has slowed the process. Fluvanna is also attempting to start a program, but moving slow. Some interest is also in the Arlington area and discussion is taking place with the Alexandria program to possibly expand.

Standards Update: Five programs went through the first wave of the standards self-assessment process. National CASA utilized outside contractors to review the materials that the programs submitted. When the reports were completed and returned to the programs, they were inconsistent in terms of comments made, feedback provided and how the programs were evaluated. Furthermore, two program reports in particular had outright errors in them that resulted in the programs being out of compliance with the standards. The programs that received these reports prepared responses and requested corrected reports from NCASAA. In both of these cases, the tone of the language was not conducive to the collegial partnership that National CASA typically engages in.

The Advisory Committee was briefed about the steps taken to date by both the local programs and DCJS. National CASA agreed that some of the reviewers were inconsistent in their responses and that some of the comments were not constructive. Several Advisory Committee members expressed concern about this issue and the potential negative impact it could have on local CASA programs. Kent Hymel moved that Melissa O'Neill should write a letter to NCASAA to put into writing that which has been verbally requested to date and to articulate the concerns of the Advisory Committee on this issue. Paul Hirshbiel seconded the motion. The board approved it.

Two other issues have surfaced as a result of the Quality Assurance self assessment process. A Memorandum of Understanding with the local Juvenile Court is a requirement of the NCASAA Standards. However, several of the

programs that went through the self assessment during the first wave experienced resistance from the local juvenile court judges based upon the fact that the CASA programs are regulated and codified in Virginia and the MOU was seen as a redundant measure. After several productive conversations with NCASAA, it was agreed that programs in Virginia could choose to either craft an MOU with the local juvenile courts or send a copy of the policies and procedures that have been approved by the local program and a letter from the chief juvenile court judge stating that the court is in receipt of the policies and procedures for the program as set forth in the CASA regulations. The other issue that has surfaced is that most programs are struggling to maintain compliance with the NCASAA standards around diversity. The programs are struggling in all areas including diversity among the volunteers, staff and board members.

National CASA Conference: This conference will take place June 6 – 8 in Washington D.C. Melissa O'Neill is serving as the volunteer coordinator on the site committee.

Network Meetings: A Network meeting took place last week and the next one is scheduled for August 19th. Among a variety of topics, discussion took place on how DCJS funds to CASA programs are distributed. Currently, they are distributed based upon the number of children served in the previous fiscal year. There is some concern that this formula does not encourage programs to expand their services. A small task force will be put together to further evaluate this and Advisory Committee members were invited to participate if interested.

Legislative Update:

HB 1041 - Child abuse and neglect; definition. Amends the definition of child abuse and neglect to include a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248.

HB 420 - Child abuse and neglect; multidisciplinary investigation teams. Enables local social services departments to develop multidisciplinary teams to provide consultation to the local department during the investigation of selected cases involving child abuse or neglect and make recommendations regarding the prosecution of such cases. The teams may include members of the medical, mental health, legal and law-enforcement professions, including the attorney for the Commonwealth or his designee, a local child-protective services representative, and the guardian ad litem or other court-appointed advocate for the child. The bill also contains provisions regarding the confidentiality of information exchanged during such consultation. This bill is identical to SB 429.

Erin Osborne reported that the CASA License Plate bill was amended and DCJS has it. She will continue working on the spreadsheet and Denise will e-mail it to the committee when complete.

NEW BUSINESS: The CASA Retreat will take place November 4th and 5th. Chanko on the James was recommended by Sharon England.

There is no further business, the meeting adjourned.